# MANISTEE CITY PLANNING COMMISSION

70 Maple Street P.O. Box 358 Manistee, Michigan 49660

### MEETING OF MARCH 4, 1998

There will be a meeting of the Manistee City Planning Commission to be held on Wednesday, March 4, 1998 at 7:00 P.M. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

### **AGENDA**

I.	Welcome new member Bob Hornkohl Roll Call				
II. III.		s Pertaining to the General Citizenry:			
	A.	Public Hearing:  1. Brad Powers - Request for Zoning Amendment  2.			
	B.	Site Plan Reviews: 1. Sadler Machine Tool 2.			
	C.	Questions, Concerns and Consideration of Matters Pertaining to Citizens in Attendance:  1.			
		2.			
IV.	Busine	ess Session:			
	A.	Approval of Minutes from Last Meeting (2/5/98)			
	В.	New Business:			
		<ol> <li>Dale L. Picardat - Vacating Street right-of-way</li> </ol>			
	C.	Unfinished Business:			
		1. Northwestern Savings Bank & Trust - Special Use Permit			
		2. Sign Ordinance			
		3.			
	D.	Other Communications:			
		1. City Update			
		2.			
	E.	Reports:			
		1. D.D.A. Update			
		2. Zoning Board of Appeals			
		3. Site Plan Review/Historic Overlay Committees			
		4. Joint City Review/Ordinance Committee			
V.	Work/	Study Session:			
Ϋ́I.		rnment			
ce:	Planning City Cour	Commission Members Icil			
	R. Ben Bi	ifoss, City Manager			
	Jon Rose, Community Development Officer Lori Donnan, Administrative Assistant				
	Kurt Schindler, County Planner				
	Manistee	News Advocate Observer			
	WMTE R	adio (adio			
	WXYQ Radio Jeff Mikula, Abonmarche				
		rdslee, Assessor			

# CITY OF MANISTEE MEMORANDUM

TO: Planning Commission Members

FROM: Denise Mikula

DATE: February 27, 1998

RE: Meeting Wednesday, March 4, 1998

The March Planning Commission Meeting will be held on Wednesday, March 4, 1998. Three members of the Planning Commission will be attending a seminar on Thursday, March 5<sup>th</sup> and that is the reason for the change in date.

A Public Hearing was held on February 19, 1998 for a request for a Special Use Permit for signage at Northwestern Savings Bank and Trust. Due to illness a quorum was not present and a decision will need to be made at the March 4<sup>th</sup> meeting. This item has been added to the agenda under Unfinished Business. A summary of the public hearing is enclosed for your review.

A request for a Zoning Amendment has been received from Dr. Brad Powers. Dr. Powers has an option to purchase the two vacant lots on Ninth and Cypress Street. This option is pending a Zoning Amendment to change the Zoning from R-4 Residential to C-1 Commercial for "Parcel B" located at the Southwest corner of Ninth and Cypress Street. Attached is his application for a Zoning Amendment.

Sadler Machine & Tool is requesting a Site Plan Review for a proposed building located within the Renaissance Zone located between State Street and Main Street. A copy of the proposed site plan is enclosed. Jon Rose will be out of the office until Monday, he will do a site plan review on the project at that time and have it for you at the Wednesday meeting.

A request for an opinion on proposed futures uses for the property located at 504 Water Street has been received from Robert Gramer. This item has been added to the agenda under New Business. Mr. Gramer's letter is attached.

Dale Picardat is requesting the vacating of a portion of Water Street that runs behind the houses at 546 & 550 First Street. Mr. Picardat purchased the home at 546 First Street in February of 1997. The owners of the home at 550 First Street requested a vacation in 1991 when the item was postponed until after the construction of Riverwalk West. Mr. Picardat would like to reopen the request to vacate this portion of Water Street. It has been placed on the agenda under New Business. Enclosed is correspondence received from Mr. Picardat.

Enclosed is a memo from City Manager Ben Bifoss inviting the Planning Commission Members to a meeting on Thursday, March 12, 1998 at the Manistee Inn & Marina.

We hope that all the members who have been under the weather are on the road to recovery. And as always if you have any questions please call us at 723-2558. See you at the meeting!

# Planning Commission



616-723-2558 FAX 616-723-1546

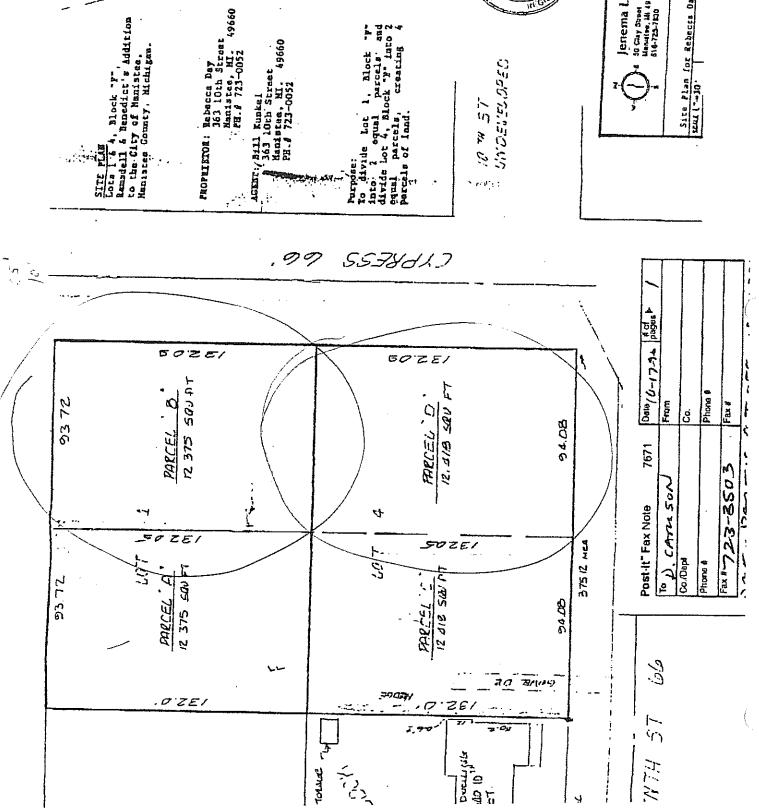
# Petition for Zoning Amendment

			<u> </u>	
	Ďr-	. Brad Powers	FOR OFFICE V	USE ONLY:
Applio	ant PC	Brad Powers Box 23	Case number	
Addre	ss Ma	mistee MI 49660	Date Received Fee Received	<u>র.18.98</u> <i>- পুত্ৰ ৬৬</i>
City, S	State, Zip	Code	Receipt Number	1.3.70
Phone	Numbers	(Work) 723-8388	Hearing Date	3.4.98
		(Home) 723-0083	_ FEE \$200.00	
	e Note: . tional sh	All questions must be answered con neets.	ipletely. If additional s	space is needed, number and attach
I.	ACT	ION REQUESTED:		
		o, the undersigned to hereby request that adment:	the City of Manistee appr	rove the following petition for Zoning
	A.	Text Amendment: Amend Article Manistee City Zoning Ordinance by necessary - state proposed ordinance late C-1	v making the following o	to (delete, supplement or clarify) the change(s): (Attach additional sheets if Parcel "B" From R-4
	B.	Re-zone from RY to Cl (below), for the following purpose: (S	the property(s) tate proposed use of the l	described in II, Property Information and) 641/0 pi, ofe Scional
		made with respect to these premises it use permit was made, state the action	the last 2 years. If a requested: This	zoning on this land (has/has not) been a previous appeal, re-zoning or special property historically was amended to R4

п.	PRO	DPERTY INFORMATION:  E/23/(244  E/26/(244)
	A.	Legal Description of Property affected: Etyz of Lot 2 Black F Rewell + Bond; CTS Add. to the City of Manifer
		Tax Roll Parcel Code Number: 51-51-670-741-07-670-711-01  Address of Property: Nijoh St, W of US 31
	В.	List all deed restrictions - cite Liber & Page where found and attach:
	C.	Names and addresses of all other persons, firms or corporations having a legal or equitable interest in the landhoke_
	D.	This area is un-platted, platted, will be platted.  If platted, name of plat
	E.	Attach a site plan drawn to the scale of one (1) inch equals (10) feet, showing all existing structures on the property, all proposed structures and marking those structures that will be removed or razed. Also, the general shape, size and location of all existing structures within 100 feet of the property along with their uses shall be depicted on the site plan, along with all abutting roads, streets alleys or easements.
	F.	Present use of the property is: Valant
III.	STAT	TEMENT OF JUSTIFICATION FOR REQUESTED ACTION:
	Α.	State specifically the reason for this Amendment request at this time Need C-1 designation to build affire.
	В.	If the Amendment is a propose re-zoning, please answer the following questions.
		1. Will this re-zoning be in conformance with all adopted development plans of the City of Manistee? If yes I no and Manistee County? If yes I no

	2.	If the proposed zone does not conform to the(se) plan(s), why should the change be made: Please be specific, brief and attach any supporting documentation which substantiates your claim. This could include an allegation that the existing zoning is in error which would be corrected by the proposed change, or that specific changes or changing conditions in the immediate area make the re-zoning necessary to promotion of public health, safety and general welfare.
	3.	What do you anticipate the impacts of the proposed zone change on the adjacent property to
		What do you anticipate the impacts of the proposed zone change impacts associated with the be? What steps do you propose to take to mitigate any negative impacts associated with the proposed change?  Not Sufe, Pethans anhance property value.  What hegative impact?
ſV.	in the petition respects true	ned affirms that he/she or they is (are)the (owner, lessee, authorized agent of owner) involved and that the answers and statements herein contained and the information submitted are in all and correct to the best of his, her or their knowledge and belief.  of Applicant (s):
		Dr Breson St
	Dated	
	By checking ection if nece	this box permission is given for Planning Commission Members to make a site essary.

īV.



CENTERIANE HANY 112-31 -

Jenema Land Surveys
1 10 Cay Street
Hendler, 14 1860
614-722-720

Site Plan for Rebeccs Oav & Bill Kunkel





### LYMAN REAL ESTATE

236 Parkdale Ave., Manistee, MI 49660 Office: 616-723-9095 Fax: 616-723-3503



352	Ninth Street, Manistee		<del></del>		
Listing No.	, , , , , , , , , , , , , , , , , , ,			Manistee	L\$7.900
	Property Address	dress		Township	Price
187x132	Excluded Man	istee 10	1.61	Cas	
Land Size		ool Dist. 199	Taxe		
		,,,,,,,,,,	) 1#IXE	i Financ	cing

Ν

2 residential lots in the city limits of Manistee, priced at \$7,900 each. Lots are somewhat wooded, with a slope allowing for a walk-out basement.

Land Characteristics: Wooded, with slope towards the south.

Legal Description:  $W_4^i$ Lot 1, and  $E_2^i$ Lot 1, Block F, Ramsdell & Benedict's Addition to city of manistee. Directions to Property: US-31 South to Ninth St., West to sign.

Seller: Day

Listed By: Sandy Bottrell

s.o. • 04

information here is not warranted and subject to change without notice.

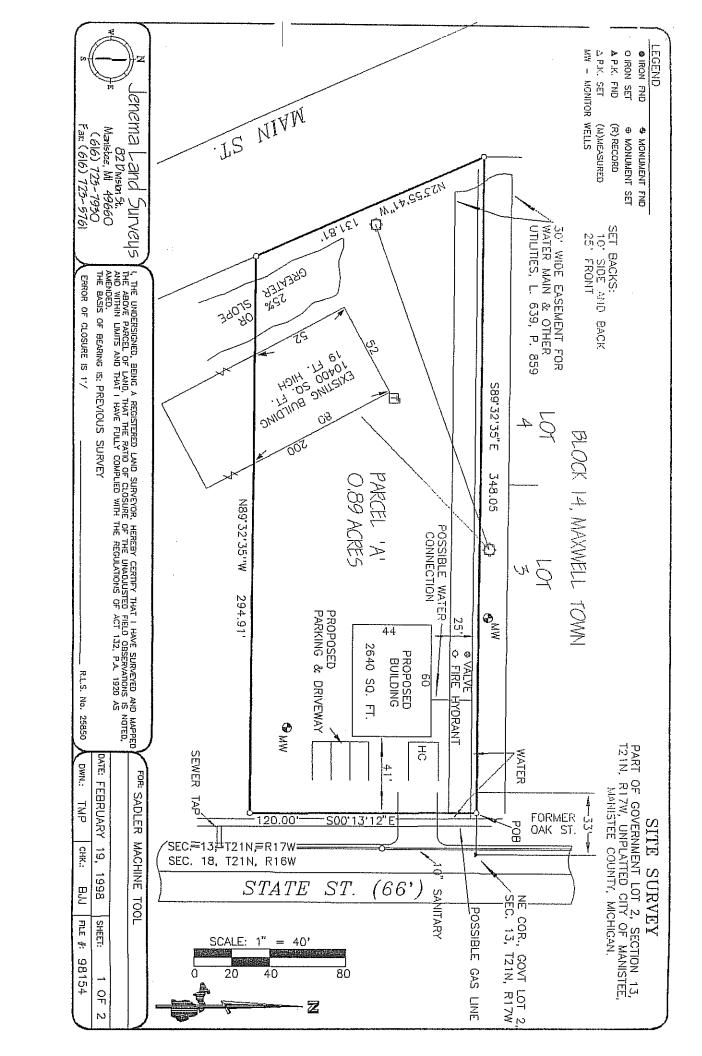
LEADING WHILEFT WHILEFLIER

We assume no liability for errors.

JACKPINE PRESS, DIC

# SITE PLAN REVIEW

NAME: Sadler Machine Tool, Inc. 3445 Lakeshore Road Manistee, MI 49660			PROPOS ZONING				nine Shop issance	)		
PARCEL COI			713-175-01 State Stree		USE IS:		X 0 0	Perm Spec Not		i
BULK REGU	LATION	1S	REQUIRI ZONII			ROPC IN PL			COMPL YES	IANCE NO
PARCEL SIZ	E:		15,000	) sq. ft.		38,400 sq. f		ī,	X	
STREET FRO	ONTAGI	Ξ:	100	) ft.		1	20 ft.		X	☐
SETBACKS FRON	IT YARI	)	25	ft.		2	41 ft.		X	□
SIDE	YARD		10	ft.		,	25 + ft.		X	
REAF	R YARD		10	ft.			200 + ft.		X	
WAT	ERFROI	T	50	ft.			N/A		X	
HEIGHT:			30	ft.			27 ft.		X	٥
PARKING:							N/A		o	
BUILDING	AREA:						N/A			
SPECIAL D	ISTRICT	rs	APP YES	LIES? NO		AP YES	PROVE	D? NO		
HISTORIC	OVERL	AY:	0	X						
HIGH RISK	EROSI	ON:		X		0				
FLOOD PL	AIN:			X						
SOIL EROS	SION:			X						
OTHER:			/ 1	1						
REVIEWEI	O BY: Joj	R. Ro	se, Comm	unity Deve	elopment Of	ficer	DATE	: Mar	ch 3, 199	8



### PARCEL "A":

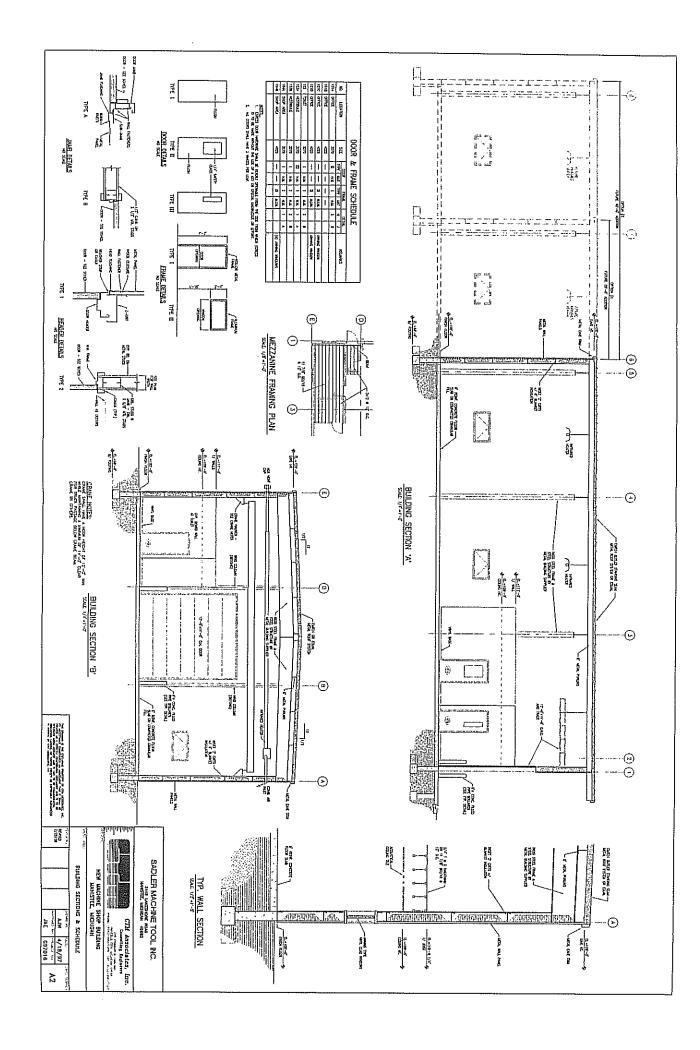
Part of Government Lot 2, Section 13, T21N, R17W, City of Manistee, Manistee County, Michigan. Described as follow: Commencing at the Northeast corner of said Government Lot, thence N89°32'35"W 23.11 ft. along the North line of said Government Lot to the West right-of-way of State Street and the point of beginning, thence along said West right-of-way S00°13'12"E 120.00 ft. parallel with the East line of said Government Lot, thence N89°32'35"W 294.91 ft. parallel with said North line to the East right-of-way of Main Street, thence along said East right-of-way N23°59'41"W 131.81 ft. to said North line, thence along said North line S89°32'35"E 348.05 ft. to the point of beginning. Containing 0.89 acres of land more or less. Together with and subject to a utility/water main easement recorded Liber 659, page 859, Manistee County Records.

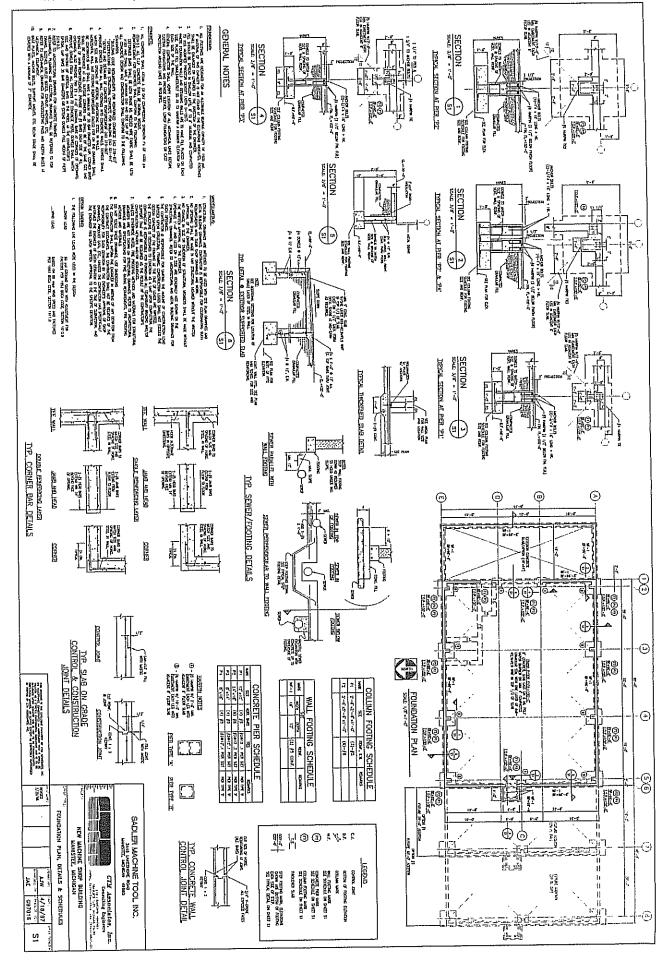
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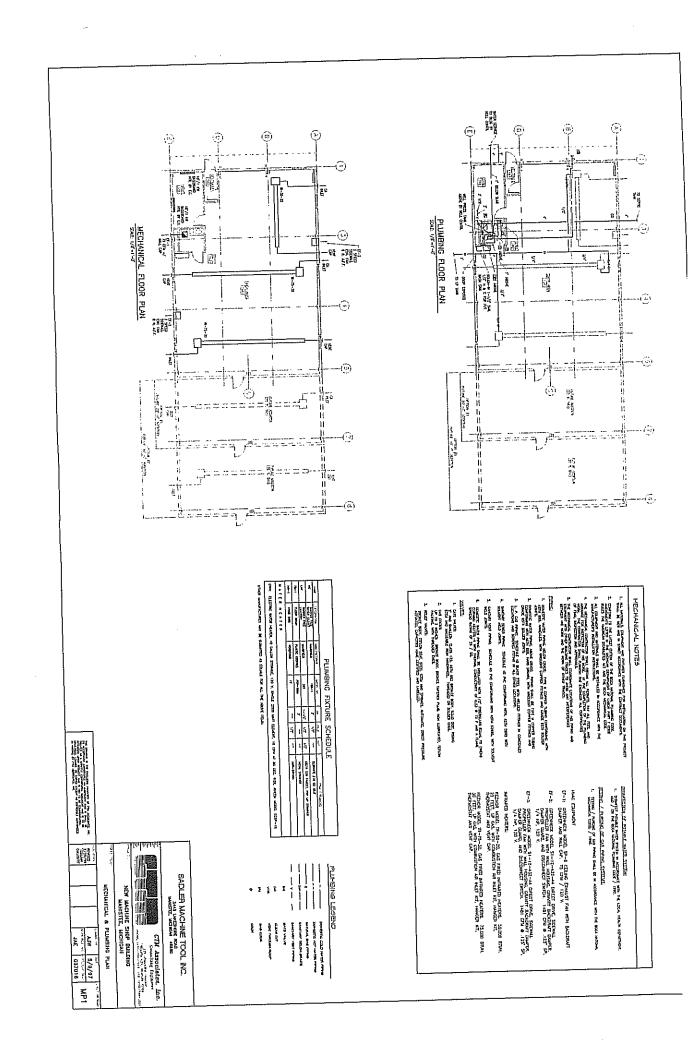
Jenema Land Surveys.
50 day 5t.
Manistee, MI 49660
(616) 723-7930
Fax: (616) 723-5761

FOR: Sadler Mad	chine Tool			<
DATE: February 19,	, 1998	SHEET:	2 OF	2
DWN.:	снк.: ВЈЈ	FILE #:	98145	

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SADLER MACHNET TOOL NO.  WHILL MESSA WAS ASSOCIATED.  LECTRICAL PLAN & SCHEDULES  AVERAGE AND		HAMINGTON TO PARAMAMANANA

Applicant: Robert Gramer

Property: 504 Water St., Manistee

We have signed an offer to purchase the property known as 504 Water Street. Our decision to finalize purchase of the property depends, in part, on the approval for special use permits by the City of Manistee. This approval by the City of Manistee is one of the contingencies in the offer to purchase the property.

We are submitting an application and fee for Special Use Permit to obtain an OPINION from the Planning commission about our proposed future uses. We realize that this OPINION will not be an official sanction and that we will have to again complete the Special Use request when we have finalized our plans.

Currently, this property has a large, very old, one-story wood frame and sided building that was reported to be the railway express building, originally part of the property directly to the East that has an old two-story railroad station that was converted into Johnson Funeral Home (480 Water St). Directly to the West of 504 Water Street is the Riverside Motel and Marina (520 Water St).

The property, 504 Water St, also currently has 15 docks, with a commercial riverfront lease agreement with the City of Manistee.

At the present time, we have not had enough time to thoroughly investigate and decide on the final course of action that we want to follow with 504 Water Street. Several possibilities exist, and we need to know if the Planning Commission has any objection to what we are considering.

We realize that no decision by the Planning Commission is binding until we have reached a final decision and submitted site plans and other documents to substantiate our ultimate proposal for the 504 Water Street property.

Right now, the present use of 504 Water St could be described as a marina with a personal storage IMMEDIATE USE: building, because that is the only activity there. We would want to continue that until we are able to formulate our final plan for the property.

Until my wife's health is stable, we probably will not proceed with any significant development to the property. Therefore, we will continue to rent boat docks, hire a caretaker to mow and keep the property clean, and spend an occasional weekend on the site (in the apartment in the old building or in our van-style camper, parked close to and behind the building.)

## FUTURE USE:

We would appreciate knowing if any of the following proposed property uses will meet approval with the Planning Commission and/or which proposals might present problems in obtaining a Special Use Permit.

Operate as a marina, renting docks and selling/demonstrating/renting specialty boats for rowing exercise and fishing. This use would include living on the property. Other business possibilities

could exist after we have studied the Manistee area.

Most likely, whatever we decide, the existing building will be demolished. However, if the existing building can be renovated, we might consider doing that to provide storage for the boats that we would sell. Boats take a lot of space, and space is about the only benefit the existing structure on the property provides.

We think that the historic relevance of the old railway express building to Manistee has lost its significance. However, if the City wants to see the building renovated or moved to another property, now is the time to inform us of any interest before the building is demolished and removed to a land fill.

2. 5803.A. Dwelling(s) and 5803.B. Dwelling and/or duplex We are considering developing the property for residential occupancy, with a maximum of eight (8) individual units that would be oriented with a river view.

This plan could include one of the following special uses

- A. Duplex buildings
- B. Condominium structure(s), attached or detached from each other
- C. Single family dwellings— If single family dwellings, we would apply to resplit the four parcels to make each parcel approximately the same width, with a change to residential zoning.
- 3. Commercial Retail or Wholesale

Other commercial possibilities exist, but a special use permit is not required, since the property is zoned commercial.

### SUPPLEMENTAL ANSWERS REQUESTED ON THE SPECIAL USE PERMIT APPLICATION

IIIB. Any final proposal and final application for special use permit will include and reflect setbacks, building heights, roof pitches, etc as currently defined by the City of Manistee.

We might choose modular home construction (not double-wides or low pitched roof lines). We will keep in mind always that we are competing with all of the other condominium projects in Manistee, so we will have housing that will compare favorably to competition.

The surrounding residential and commercial properties will not be affected, other than to have new development at 504 Water Street that could improve the surrounding property values. We believe that any of our proposed uses for 504 Water Street will be a considerable improvement to a property with a large building that is unattractive. With few exceptions the properties that we will develop at 504 Water Street should sell for more than existing neighboring residential dwellings. However, we are keeping in mind that our development should blend into the character and style of the surrounding area on the South side of the Manistee River.

IV.A. and IV.B. No site plan is ready to submit at this time. We are inquiring at this time to determine if the Planning Commission anticipates any problems with our previously described special uses. As stated in III.B. above, we will observe all guidelines as set by the City of Manistee for property development.

20 February 1998

City Council and Planning Commission City of Manistee 70 Maple St. Manistee, Mi. 49660

To:

City Council and Planning Commission

Subject: Request for vacating Street right-of-way

Reference City Council decision 17997 of Sep. 3, 1991.

As a result, it is requested that this issue be reopened and resolved.

A platted City road right-of-way presently exists north of 546 and 550 First St, which has never been paved and has not been used as a street since prior to the 1920's. No other homes in this area are effected. This neighborhood west of Tamarack is zoned as a residential area. The present lots (51-51-340-701-01 and 51-51-340-701-03) have 50 foot street frontage and a depth of 100 feet or less. The Street right-of-way is 66 feet wide and separates the City river bank property from the referenced property. See drawings attached.

The lot at 550 First St. has been maintained by the property owner for over 25 years, extending back to the top of the bank. The City has not maintained this property, right-of-way and extension to the top of the river bank, in this time period.

We have only owned the lot at 546 First St. since Feb. 1997 and have maintained the property back to the bank. Since becoming the owner a year ago, we have tried to maintain a yard compatible to this fine neighborhood. This included cutting the grass well beyond the right-of-way and pruning the trees in back.

Because the City hasn't used this property for so many years, it is requested that vacation of this property be approved and distributed to adjacent property owners. This will provide enough additional square footage of land to make the two subject lots approach the City standard for a full lot.

Precedence has been set by the city on previous vacating of similar parcels such as Olga St. off Eighth St. and others in the North Shore Development.

Your assistance will be greatly appreciated. If I can be of any further assistance in providing additional information, please contact us at 521 Pine Street or by phone at 723-6306.

Sincerely.

Suzanne C. and Date Contrardan Chica

A regular meeting of the Maniscee City Council was called to order by His Honor, Mavor John L. Della Pia, on Tuesday, Sept. 3rd, 1991, at 7:30 p.m. Order Present: Councilmen Gamache, Rick Linke and Rudy Linke; Councilwoman Adams; and Mayor Roll Della Pia - 5. Call Councilmen V. Hansen and Kruszka - 2. Absent: Also Present: City Manager, City Attorney, City Treasurer, Public Safety Director and Public Works Foreman. It was moved by Councilman Gamache, seconded by Councilman Rick Linke, to approve the Consent Agenda items that included: Minutes; Payroll; Monthly bills for Aurust, 1991 amounting to \$276,730.69; and notification of next work session on Tuesday, Sept. 10, 1991, starting at 7:30 p.m. - Approved, 5-0. 17995 Approve Consent Agenda: Minuces; Payroll; PAYROLL - August 18, 1991 Through August 25, 1991: Monthly Bills: Police Dept. .... Notice Fire Dept.
Public Works Dept.
Water & Sewer 4,329.76 of Next 4,648.07 Work 5,129.91 Session : Bridge .... 1,539.20 Parks & Recreation ..... Both the City of Manistee and Manistee Yownship administer the Building Code, including processing applications, providing inspections, etc. Both units provide building inspection services for all classes of property including residential, commercial and industrial. An agreement has been drafted which would permit the City to provide coverage in the Township if necessary, and the Township to provide coverage in the City if necessary. Occasions which may require the implementation of the agreement could involve a conflict of sions which may require the implementation of the agreement could involve a conflict of interest situation, extended sick leave, vacations, etc. Under the terms of the agreement the governmental agency providing the service would receive 90% of the applicable permit fee with the local jurisdiction retaining 10% of the permit fee for administrative record keeping purposes. For example if the City performed inspection work in the Township the City would received 90% of the fee while the Township would retain 10% of the fee; and vice-versa. The City has a similar reciprocity agreement with Manistee County for soil erosion permit administration. While the provisions of the agreement are seldom implemented, it has proved beneficial for both parties. Manistee Township has taken action to approve such 17996 Approve city Pacr It was moved by Councilman Gamache, seconded by Councilman Rick Linke, to approve a reci-with procity agreement with Manistee Township for building inspection services. - All present vocing in favor, 5-0. Manistee The City has received a request from Mr. and Mrs. Bill and Donna Larson that Water Street extended, west of Tamarack Street, be vacated. This right-of-way is located north of First Street, west of Tamarack Street, behind homes located at 546 and 550 First Street. Township Although platted, the road is unimproved (never physically constructed.) If the Council is willing to consider a road vacation, the Council has historically referred the matter to the Planning Commission for review and recommendation prior to formal action. The area in question is adjacent and contiguous to a proposed major public access point to the proposed Riverwalk West. While the current planning document does not require the use of this right-of-way for public access to the Riverwalk, final construction plans may differ from the current planning document. It is possible, although not necessarily likedly, that certain parts of this right-of-way may be used in conjunction with Riverwalk West construction. The City Manager recommends that the Council table action on this matter until final construction plans are available for Riverwalk West. If following that is is apparent that this right-of-way is not necessary for public access to the Riverwalk, the Council could refer this question to the Planning Commission for review and recommendations. 17997 Table It was moved by Councilman Rick Linke, seconded by Councilman Rudy Linke, to table this matter until after final construction plans have been prepared for Riverwalk West. - All Road Vacation Request present voting in favor, 5-0. The first regular meeting of October would normally fall on Tuesday, October 1, 1991. How ever the Michigan Municipal League Annual Convention is scheduled for Wednesday and Thursday, October 2 and 3 in Grand Rapids which would result in the Mayor, Manager and several Councilmembers being unavailable Tuesday evening. The meeting could therefore be respectively. scheduled. The Charter indicates that the City Council "shall meet in public session at least twice each month at such times as may be prescribed...". Under that Charter requirement the meeting cannot be rescheduled to Monday, September 30. Available options include rescheduling the meeting to the following Tuesday, October 8 which would result in Council meetings on successive Tuesdays; or rescheduling both meetings in October to the second and fourth Tuesdays, October 8 and 22 (there are five Tuesdays in October.) The Manager suggests rescheduling both meetings so that regular business is conducted on Tuesdays

17998 Change Occober Meetings suggests rescheduling both meetings so that regular business is conducted on Tuesdays October 8 and October 22, 1991.

It was moved by Councilman Gamache, seconded by Councilman Rudy Linke, to reschedule reqular Council meetings in October to Tuesdays, October 8 and 22, 1991, beginning at 7:30 p.m. - All present voting in favor, 5-0.

1849 0,1771 84.83 My hurband and I ask that your committee The Whatever steps necessary & abouton any existing road right of way located adjacent to out north Well reside at 550 First Strut which is but 2 of Block # 1 of the Edmund & John Campilor addition of the City. It is our understanding that there exists an unbised platted, right - of way for an extention of water street between our lot done the sever benk that extends from Famouret Street to a line extending north along our west property line (or to the last property line of the next let to our west.). This right of way is less then 30 feet from the back side of our kome. It would daysed that there never to been and will not be any intention on the part of the city to extend the street flistle vest. If this about dominant takes place, it would be an intextion to do whatever necessary & raquire sufficient real estate to bring over mothe property line into continuity with the adjacent property line along

My knowing has maintained this right young so in extention of our back year since 1972. If our refust is granted and we are allowed to follow through with bur intentions it would:

340-201-03

- Dear Committee,

property line:

the rues bank

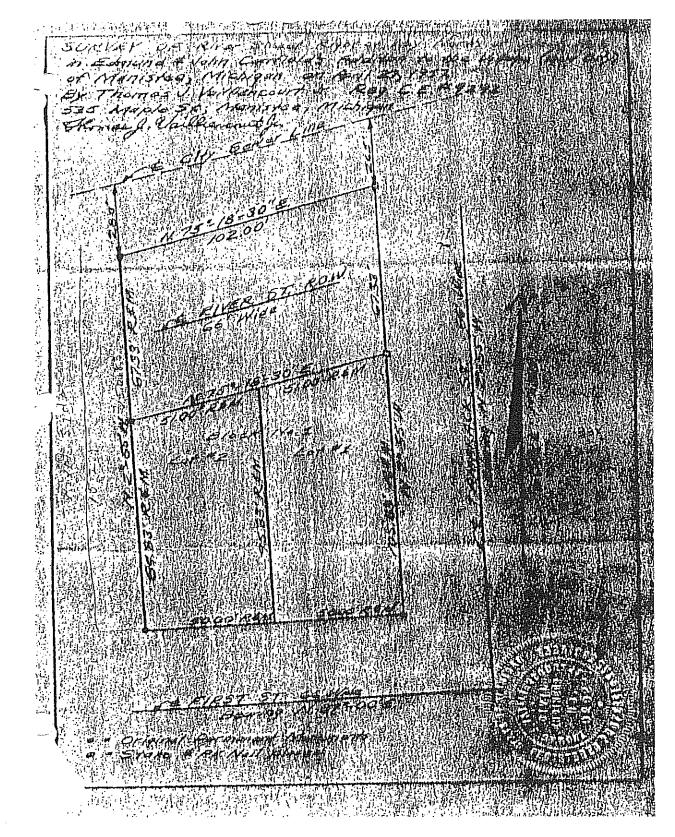
onlarge our lot & conform more closely with the present young requirement.

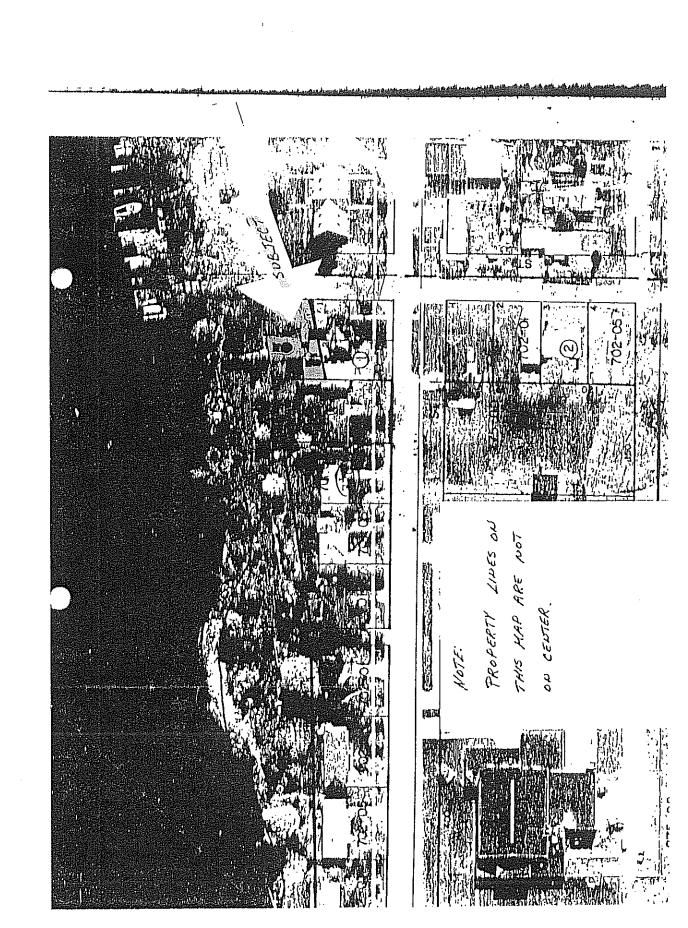
Movide us with hours & river frontage available Clear up any fear we have of the public having such close legal access & our home. assist as in maintaining some privacy when

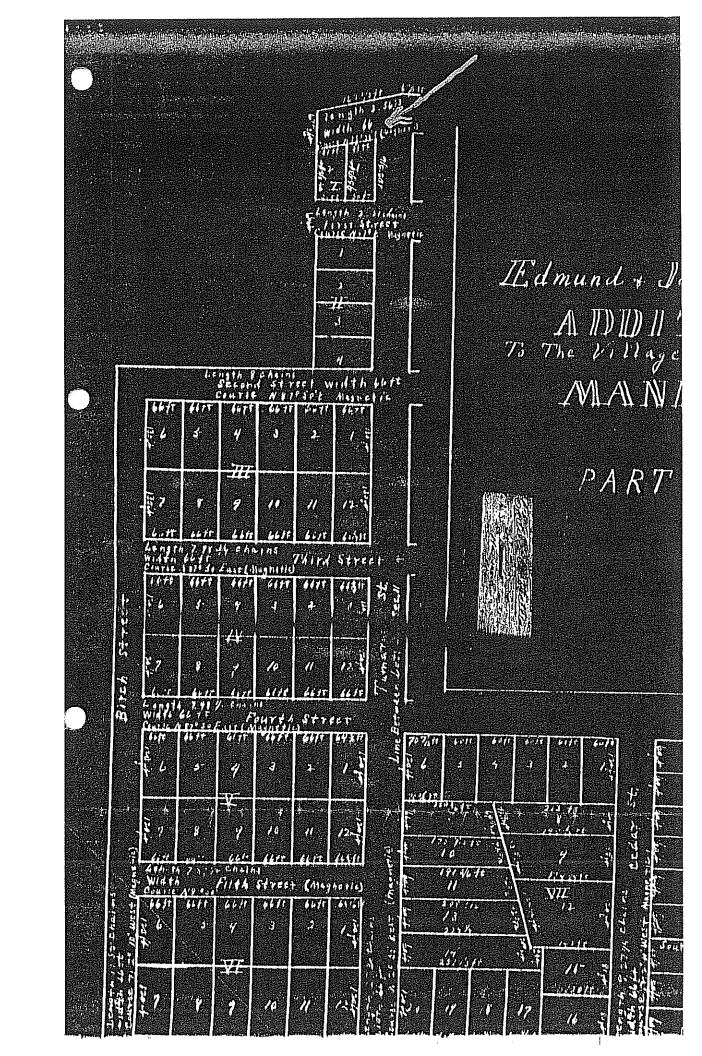
The river walk is emplosted.

and it would be nice to see my bushind get ame compensation faithe were he kee paid to the land over the last 19 years.

Respectfully, Down + Bill Sarano









616-723-2558 FAX 616-723-1546

70 Maple Street • P.O. Box 358 • Manistee, Michigan 49660

February 23, 1998

TO:

Honorable Mayor and City Council

Manistee Downtown Development Authority

Downtown Merchants Committee

Other Interested Persons

FROM:

R. Ben Bifoss, City Manager

SUBJECT:

Thursday, March 12, 1998 - Manistee Inn & Marina

The Downtown Development Authority has retained M.C. Smith & Associates to undertake a streetscaping plan for the Central Business District. That plan will be reviewed and discussed at a special meeting to be held at the Manistee Inn and Marina on Thursday, March 12, 1998. The doors will open at 5:00 p.m. Mike Smith will present the draft for review and discussion at 5:30 p.m. The presentation will be concluded shortly after 6:00 p.m. People are invited to stay and chat regarding River Street's future after that.

The plan is very aggressive and very comprehensive. It is intended to address a wide variety of problems that have been identified over time.

Concepts, alternatives and ideas will be presented to begin the discussion on the types of changes that should be planned for the Central Business District as we approach the new millennium. With planning and vision those changes may positively impact the future of Manistee and its Central Business District.

### 1416. Nonconforming Signs

It is the intent of this Ordinance to recognize that the eventual elimination of existing *Nonconforming Signs* is as desirable as the prohibition of new *Nonconforming Signs*. It is also the intent of this Ordinance that elimination of *Nonconforming Signs* shall be effected as to avoid any unreasonable invasion on established private property rights. To expedite this intent, no *Nonconforming Sign*:

- A. Shall be changed to another *Nonconforming Sign*, or replaced by another *Nonconforming Sign*.
- B. Shall have any change to the message displayed on the Sign, unless the Sign is designed for a periodic change of such message.
- C. Shall be structurally *altered* to prolong the life of the *Sign* or to change the shape, size, or classification of the *Sign*.
- D. Shall be reestablished after the activity, business or usage to which it relates has been discontinued for a period of six months or a normal operating season for seasonal business.
- E. Shall be reestablished after removal, or after damage if the expense of repair exceeds fifty percent of the appraised total replacement cost, as determined by the *Administrator*.
  - F. Shall be refurbished at a cost exceeding 50% of replacement cost.

For purposes of this Section a Parcel shall be nonconforming if any individual Sign, or the total signage on the Parcel is in nonconformance with any requirement of this Ordinance. For purposes of the above, all individual Signs of any type, size or characteristic (unless exempt from this Ordinance) on a nonconforming Parcel shall be considered as Nonconforming Signs.

If a new Sign of any type requiring a permit is constructed, placed or erected on a nonconforming Parcel the entire Parcel shall be brought into full compliance with this Ordinance. The Signage Plan for the new Sign shall include a date for achieving such compliance.

## 1417. Violations And Penalties

See Section 202.99 of the Codified Ordinance of Manistee for General Code Penalty if no specific penalty is provided.

### 1418. Fee Schedule

Fees shall be established from time to time by City Council Resolution.

Mayor Lorraine Conway City of Manistee 70 Maple Street Manistee, MI 49660

Re: New Aztec Sour Gas Wells

The attached mineral lease application Notice and marked map indicate that Aztec is considering additional wells on the Northside. It appears that they wish to angle drill under Lake Michigan.

The Manistee Zoning Ordinance does not allow gas wells to be installed in any location on the Northside. The existing Northside wells and supporting facilities were installed prior to the current Zoning Ordinance and are therefore "grandfathered". New facilities are not allowed. The Zoning Ordinance restriction on gas well location was confirmed by City officials during Council meetings relative to the Golf Course well. Land Use District I2 is the only location in the City were new oil and gas wells are allowed as a Special Use.

Prior to issuing a Special Use Permit for new wells on the Northside a change to the Zoning Ordinance would be required. When considering such a change the Planning Commission and the Council are encouraged to consider the many negative effects that additional sour gas wells located within the City limits would have on the future of the City and its residents.

Thank you.

Ron Bauman

807 Dinsen Street

Manistee, MI 49660

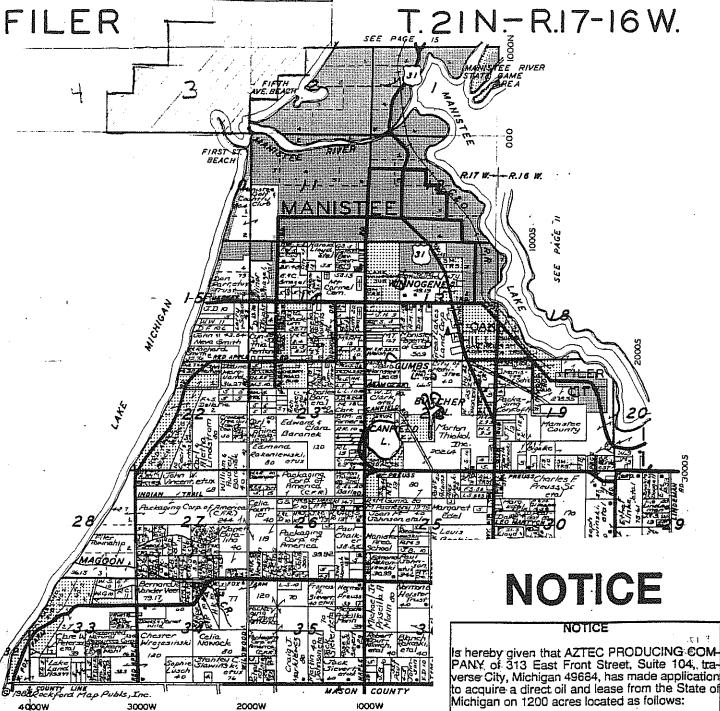
cc: Manistee City Council

Roger Yoder, Manistee Planning Commission

Ben Bifoss

James Perry, News Advocate (for information)

Concerned Citizens



# MISTRE

**SINCE 1888** 

Recliners - Mattresses Bedroom & Dining Room Furniture

"Manistee County's Quality Furniture Store"

Phone: 723-2480 or 723-2440 86 Washington Street - Just North of Maple Street Bridge





HOTEL & MOT

verse City, Michigan 49684, has made application to acquire a direct oil and lease from the State of Michigan on 1200 acres located as follows:

### TOWNSHIP 22 NORTH - RANGE 17 WEST

Section 34: SE/4SW/4, S/2SE/4, NE/4SE/4; Section 35: SW/4, W/2SE/4.

### TOWNSHIP 21 NORTH - RANGE 17 WEST

Section 2: N/2NW/4, SW/4NW/4; Section 3: ALL EXCEPT NW/4NW/4; Section 4: E/2SE/4, Manis tee County, Michigan.

With all lands being Non-development acreage. Written comments from interested Parties, relative to the request to lease the specified minerals. may be submitted no later than February 18th, 1998, to the Minerals Lease Management, Section Manager, Department of Natural resources, Real Estate Division. P.O. Box 30448, Lansing, Michigan 48909. Decision Maker: DNR Director. February 7, 1998